



# City of Carlsbad

## Office of the City Manager

October 7, 2008

Mike Monasmith  
Energy Facility Siting Project Manager  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, CA 95814

### **CARLSBAD ENERGY CENTER PROJECT (07-AFC-6) – VISUAL IMPACTS AND SITE CONSTRAINTS**

Dear Mr. Monasmith:

As you are aware, for nearly a year the City of Carlsbad (City) has raised concerns about visual impacts and site constraints related to the proposed Carlsbad Energy Center Project (CECP, 07-AFC-6). The City has requested on numerous occasions that the project applicant, NRG, submit site layouts and visual simulations which incorporate the upcoming widening of the I-5 Freeway. To date, NRG has failed to adequately respond to the City's requests.

In order to ensure that both the California Energy Commission (CEC) and the community-at-large have an accurate understanding of what the probable visual impacts of the CECP will be, the City would like to submit Visual Exhibits #1 – 4:

- Exhibit #1 - Overhead shot of the proposed CECP and its proximity to a widened I-5
- Exhibit #2 - Cross section of the proposed plant in relation to traffic along a widened I-5
- Exhibit #3 - Southwest view of how the site currently looks today
- Exhibit #4 - Same view as Exhibit 3, but a simulation of how the site will look once the freeway is widened and the CECP is constructed

As you may recall, both the CEC and City staff have been previously briefed by Caltrans with regards to the proposed I-5 expansion. During the course of that briefing, Caltrans highlighted that they have been working on that project since 2001 (public scoping meetings) and that the EIR contains several different widening scenarios. In preparing the above visual simulations, the City used schematics provided by both Caltrans the applicant.

More recently, City staff has raised questions and concerns regarding the CECP's site layout and construction laydown areas in regards to the upcoming Vista/Carlsbad Sewer Interceptor Project (sewer project). This sewer project has been in development for the past five (5) years and represents a vital upgrade to the regional sewer infrastructure, which services a population of more than 150,000. In order to complete this upgrade, it is necessary for the City to acquire



additional right-of-way (Visual Exhibit #5) on the CECF site. The City has submitted a number of data requests to the CEC regarding this issue in its September 11, 2008 filing.

The City has and continues to express its deep concerns regarding the CECF and the appropriateness of the project at that location. As the proposed site becomes more constrained on its east and western boundaries, the City's objections to the CECF's visual impacts persist.

Please feel free to contact me if you have any questions at (760) 434-2893.

Sincerely,



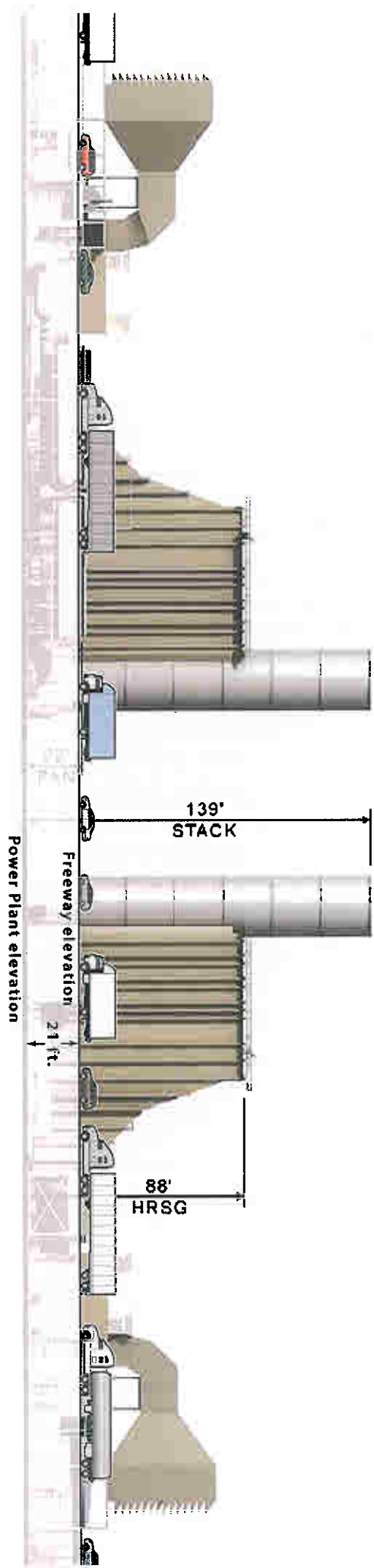
Joe Garuba  
Municipal Projects Manager

JG:ad

Enclosures: 5

cc: Proof of Service (Rev. 9/10/2008; electronic service only)  
City Manager  
Housing and Redevelopment Director  
Senior Planner

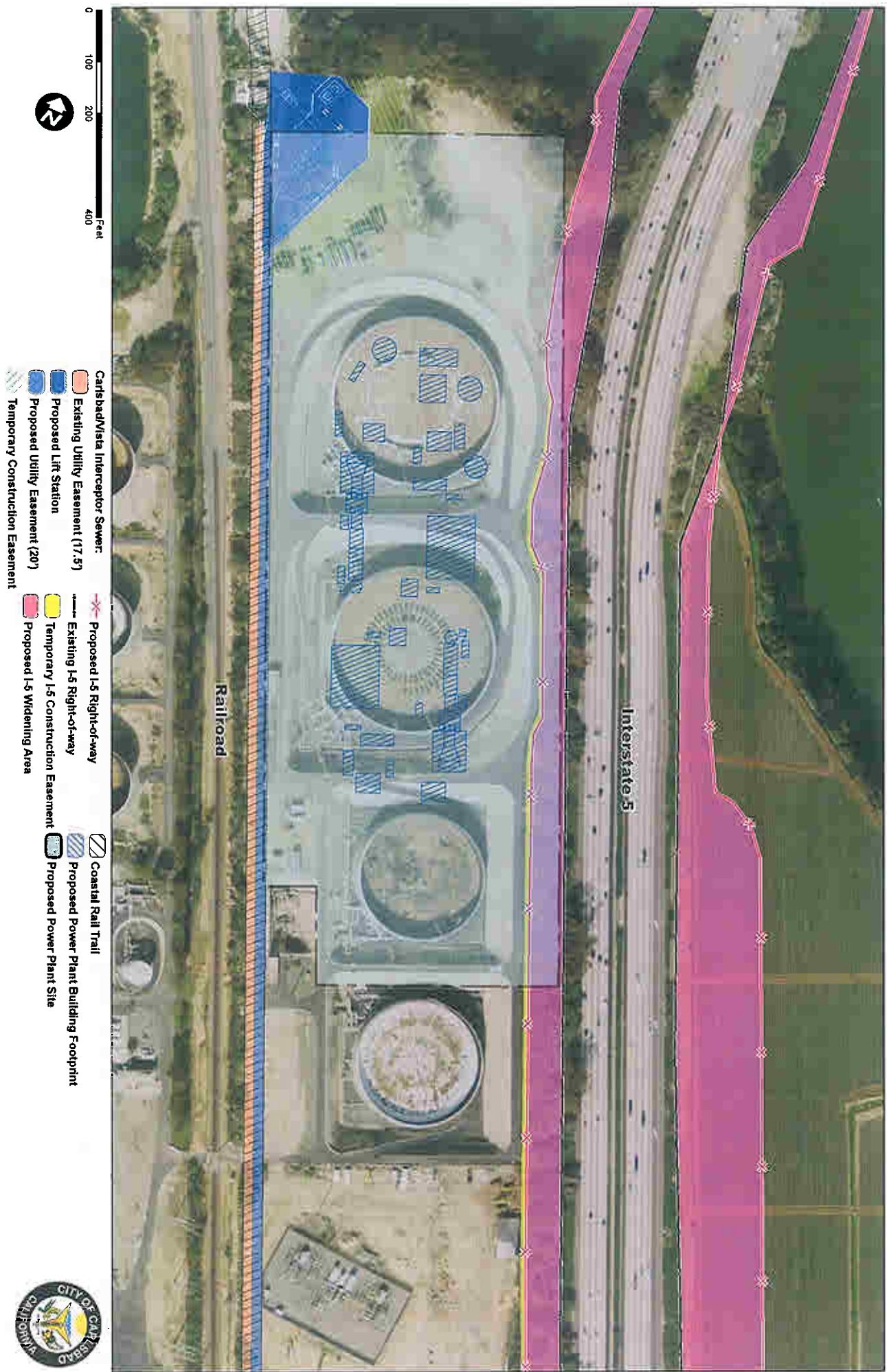














**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA**  
• 1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **CARLSBAD ENERGY CENTER  
PROJECT**

Docket No. 07-AFC-6  
PROOF OF SERVICE  
(Revised 9/10/2008)

**INSTRUCTIONS:** All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**APPLICANT**

David Lloyd  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[David.Lloyd@nrenergy.com](mailto:David.Lloyd@nrenergy.com)

Tim Hemig, Vice President  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[Tim.Hemig@nrenergy.com](mailto:Tim.Hemig@nrenergy.com)

**APPLICANT'S CONSULTANTS**

Robert Mason, Project Manager  
CH2M Hill, Inc.  
3 Hutton Centre Drive, Ste. 200  
Santa Ana, CA 92707  
[robert.Mason@ch2m.com](mailto:robert.Mason@ch2m.com)

Megan Sebra  
CH2M Hill, Inc.  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
[Megan.Sebra@ch2m.com](mailto:Megan.Sebra@ch2m.com)

**COUNSEL FOR APPLICANT**

John A. McKinsey  
Stoel Rives LLP  
980 Ninth Street, Ste. 1900  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)

**INTERESTED AGENCIES**

California ISO  
P.O. Box 639014  
Folsom, CA 95763-9014  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

City of Carlsbad  
Joseph Garuba,  
Municipals Project Manager Manager  
Ron Ball, Esq., City Attorney  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008  
[jgaru@ci.carlsbad.ca.us](mailto:jgaru@ci.carlsbad.ca.us)  
[rball@ci.carlsbad.ca.us](mailto:rball@ci.carlsbad.ca.us)

Allan J Thompson  
Attorney for the City  
21 "C" Orinda Way #314  
Orinda, CA 94563



### INTERVENORS

California Unions for Reliable Energy ("CURE")  
Suma Peesapati  
Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[speesapati@adamsbroadwell.com](mailto:speesapati@adamsbroadwell.com)

\*Center for Biological Diversity  
c/o William B. Rostove  
EARTHJUSTICE  
426 17<sup>th</sup> St., 5<sup>th</sup> Floor  
Oakland, CA 94612  
[wrostov@earthjustice.org](mailto:wrostov@earthjustice.org)

Paul Kramer  
Hearing Officer  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

Mike Monasmith  
Siting Project Manager  
[mmonasmi@energy.state.ca.us](mailto:mmonasmi@energy.state.ca.us)

Dick Ratliff  
Staff Counsel  
[dratliff@energy.state.ca.us](mailto:dratliff@energy.state.ca.us)

Public Advisor's Office  
[pao@energy.state.ca.us](mailto:pao@energy.state.ca.us)

### ENERGY COMMISSION

JAMES D. BOYD  
Commissioner and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

KAREN DOUGLAS  
Commissioner and Associate Member  
[kldougla@energy.state.ca.us](mailto:kldougla@energy.state.ca.us)

### DECLARATION OF SERVICE

I, Andrea Dykes, declare that on 10/7/08, I deposited copies of the attached Visual Impacts Doc., in the United States mail at Carlsbad, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Andrea Dykes